(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 657 OF 2001

BETWEEN

Hira Ram S/o Kalyan Singh, by caste Manewar, aged about 45 years, resident of Village Ren Khol Tahsil Sakti District Janjgir Champa.

PETITIONER

A N D

1. The State of Chhattisgarh, Through the Secretary Revenue, Mantralay, D.K.Buildings, Raipur.

2. Sub Divisional Officer(R), Sakti, District Janjgir Champa.

3. Firat Ram S/o Kariya, aged about 46 years, resident of Village Renkhol, Tahsil Sakti, District Janjgir Champa.

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

(57)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No.657/2001

मामला क्रमांक ..... **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
05-7-2001	Shri Prashant Mishra, counsel for the petitioner. Shri Gautam Bhaduri, counsel for the State. Heard. This petition is filed against the order passed by respondent No.2, the Sub-Divisional Officer(R), Sakti, on 24-2-1997. The petitioner in para-4 of the petition has submitted that he came to know fate of the impugned order when respondent No.3 tried to take forcible possession and thereafter the petitioner contacted the counsel and the counsel applied for the certified copy. Shri Bhaduri, learned Govt.Advocate submits that the order is appealable and the petitioner ought to have filed an appeal before the appropriate authority. Since against the order of Sub-Divisional Officer, remedy of appeal is provided, it would be just and proper to the petitioner to prefer an appeal alongwith an application for condonation of delay, if so desired. If such an appeal alongwith an application for condonation of delay is filed, it shall be considered on its own merits in accordance with law. The petition is disposed of with the aforesaid observation at this stage. c.c. as per rules. /Rao/ 26/7	**Sd/-** **Fakhruddin** **Judge**